



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 874/2025

SHAIKH SHABANA BANO MOHAMMAD

ALI AND ANR.

..APPLICANTS

VS

STATE OF MAHARASHTRA

..RESPONDENT

Adv. Rishab Khot for applicants.

Ms. Supriya Kak, APP for State.

CORAM : RAJESH S. PATIL, J.

DATE : APRIL 3, 2025.

P.C. :

1. This application is filed under Section 482 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for seeking pre-arrest bail in connection with the First Information Report (FIR) No. 227/2025 registered with the Shanti Nagar Police Station, Thane City, for the offence punishable under Sections 132, 74, 79, 352, 351(2), 3(5) of the Bhartiya Nyaya Sanhita, 2023.

2. In the present proceedings on 28/3/2025, I had granted protection orders in the present anticipatory bail application which has been filed by the two females who are wife of accused no.1 and

sister of accused no.1. The said order reads as under:-

“ The learned A.P.P submits that the new Investigating Officer has now been appointed in the present crime. Hence, he requires some time to go through the CC TV footage of the alleged incident.

2. The learned A.P.P submits on instructions, objects for any kind of protection being granted to the present applicant.

3. I have heard the learned counsel for both the sides and have also considered the documents on record including the FIR. According to me, the applicant requires to be protected for two reasons :-

4. The reason no.1 is that both the applicants are females who are the wife of the accused no.1 and sister of the accused no.1. Both of them do not have any kind of antecedents.

5. The argument on behalf of the applicants is that the entire incident, which is alleged to have occurred, took place within the court premises, near the washroom. There was a CC TV camera on which there is recording. The whole incident took place on 21st February, 2025. An argument is made that going through that CC TV footage, one can see that the allegation as made against the present applicant has never happened. Therefore these two females should be protected.

6. According to me, incident has occurred on 21st February, 2025. Today, on 28th March 2025 an argument is made that the officer present in Court has not seen the said footage. Therefore, according to me it is justified that till the next date of the hearing i.e. on 3rd April, 2025 interim protection needs to be granted to the present applicants. Hence, in the meanwhile, no coercive steps should be taken against the present applicant till the next date of the hearing.

7. Stand over to 3rd April, 2025. Matter to come up under the caption of ‘Urgent Circulation’.”

3. The learned APP submits that as per her instructions, the IO has submitted that at the spot of the incident, there are no CCTV cameras, therefore, there is no recording of the alleged incident.

4. The learned counsel for the applicants submits that as per his instructions, not only CCTV cameras are available but also the police

officer on their mobile phone had recorded whole incident.

5. Considering the allegations made in the FIR and the fact that today the IO is not able to produce any kind of recording of the alleged incident, the present applicants being two females who do not have any kind of antecedents, this is a fit case to grant them a pre-arrest bail. Hence, the following order.

ORDER

(a) **The anticipatory bail application is allowed.**

(b) In the event of arrest in connection with FIR No. 227/2025 registered with the Shanti Nagar Police Station, Thane City, the applicants shall be released on bail, on furnishing P.R. bond to the extent of Rs.15,000/- each with one or two sureties each of the like amount.

(c) The applicants shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer and shall not tamper with evidence.

(d) The applicants shall furnish details of their residential addresses, contact numbers and email addresses to the Investigating Officer.

(e) The applicant/s shall attend the concerned police station and meet the IO on 9/4/2025 and 10/4/2025 between 11.00 a.m. to 1.00 p.m. and thereafter, as and when called for.

6. Needless to say that the observations made in this order are limited to the question of grant of anticipatory bail to the applicants in the present application and that the trial Court shall proceed further, without being influenced by the observations made in this order.

7. The anticipatory bail application is disposed of.

(RAJESH S. PATIL, J.)